



**July 23, 2012**, and that defendants' reply, if any, is due by no later than **July 30, 2012**. If the Court determines that oral argument is necessary, the parties will be notified and a hearing will be scheduled. Otherwise, defendants' Motion to Dismiss will be taken under submission after **July 30, 2012**.

Notwithstanding the foregoing, the parties should not assume that this action will linger in suspended animation indefinitely while they explore settlement possibilities at their leisure. It is an entirely normal and ordinary practice for litigation and settlement negotiations to proceed as contemporaneous, not separate, activities. At some point, this case needs to move forward if the parties' negotiations do not bear fruit. Having now granted the parties two extensions of the briefing schedule on the Motion to Dismiss, the Court does not anticipate entering a third, barring a much more definite indication that settlement is imminent than has been articulated by the parties to date. In short, the parties are strongly encouraged to put these next 10 days to good use.

DONE and ORDERED this 13th day of July, 2012.

s/ WILLIAM H. STEELE  
CHIEF UNITED STATES DISTRICT JUDGE